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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,483	06/05/2001	Glenn M. Renwick	3832/010581	6164

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EXAMINER	
FRENEL, VANEL	
ART UNIT	**PAPER NUMBER**
3626	

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/874,483	RENWICK ET AL.	
	Examiner	Art Unit	
	Vanel Frenel	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Request for reconsideration filed on 8/9/06. Claims 1-42 are pending.

2. Applicant's arguments filed on 8/9/06 have been persuasive, therefore the previous Office Action has been withdrawn and a new Office Action is hereby presented.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freedman et al (2002/0002475) in view of Hubbard et al (2002/0099575).

(A) As per claim 1, Freedman discloses a method of processing vehicle damage claims, comprising the steps of:

reporting a vehicle damage claim to an insurance provider by a claimant (See Freedman Page 3, Paragraphs 0043-0044);

delivering a damaged claimant vehicle to an insurer facility operated by the insurance provider (See Freedman, Page 3, Paragraphs 0039-0040);

preparing a repair estimate at the insurer facility by a representative of the insurance provider (See Freedman, Page 4, Paragraph 0055);

repairing the damaged claimant vehicle at the repair facility (See Freedman, Page 13, Paragraphs 0183-0186);

Freedman does not explicitly disclose that the method having selecting a repair facility, with the repair facility selected by the insurance provider without input form the claimant and returning the repaired claimant vehicle to the insurer facility without input from the claimant.

However, these features are known in the art, as evidenced by Hubbard. In particular, Hubbard suggests that the method having selecting a repair facility, with the repair facility selected by the insurance provider without input form the claimant (See Hubbard, Page 1, Paragraph 0007); and returning the repaired claimant vehicle to the insurer facility without input from the claimant (See Hubbard, Page 5, Paragraph 0076; Page 9, Paragraph 0109).

It would have been obvious to one ordinary skill in the art at the time of the invention to have included the features of Hubbard within the system of Freedman with the motivation of permitting online access of rental claim information by a plurality of users, such as claims adjusters or claims managers, at an insurance service provider, such as an insurance company (See Hubbard, Page 2, Paragraph 0018).

(B) As per claim 2, Freedman discloses the method further comprising the step of

verifying insurance coverage after the step of reporting the vehicle damage claim to the insurance provider by the claimant (See Freedman, Page 3, Paragraphs 0043-0044).

(C) As per claim 3, Freedman discloses the method further comprising the step of scheduling with the claimant to deliver the damaged claimant vehicle to the insurer facility (See Freedman, Page 3, Paragraphs 0038-0041).

(D) As per claim 4, Freedman discloses the method wherein if the damaged claimant vehicle is not driveable the method further comprising the step of towing the damaged claimant vehicle to the insurer facility (See Freedman, Page 3, Paragraphs 0038-0041).

(E) As per claim 5, discloses the method further comprising the step of the insurance provider providing a rental vehicle to the claimant at the insurer facility (See Freedman, Page 3, Paragraphs 0038-0041).

(F) As per claim 6, discloses the method further comprising the step of the insurance provider delivering a rental vehicle to the claimant and picking up the damaged vehicle at a location selected by the claimant (See Freedman, Page 8, Paragraphs 0130-0132).

(G) As per claim 7, discloses the method wherein the step of preparing the

repair estimate at the insurer facility by the representative of the insurance provider includes at least partial dismantling of the damaged claimant vehicle for accurately assessing vehicle damage (See Freedman, Page 8, Paragraphs 0127-0128).

(H) As per claim 8, Freedman discloses the method wherein the repair facility selection step is based on one or more of repair facility capacity, experience, equipment, personnel, past performance, ability to begin repairs promptly, repair cycle time and scope of vehicle per repairs required (See Freedman, Page 8, Paragraphs 0127-0129).

(I) As per claim 9,Freedman discloses the method further comprising the step of the representative of the insurance provider at the insurer facility settling on an agreed price of vehicle repair with the repair facility (See Freedman, Page 9, Paragraphs 0132-0134).

(J) As per claim 10, Freedman discloses the method further comprising the step of the repair facility picking up the damaged claimant vehicle at the insurer facility, and returning the claimant vehicle to the insurer facility following completion of required repairs (See Freedman, Page 9, Paragraphs 0132-0134).

(K) As per claim 11, Freedman discloses the method further comprising the step of providing repair status updates to the claimant by the insurance provider (See Freedman, Page 9, Paragraphs 0132-0134).

(L) As per claim 12, Freedman discloses the method further comprising the step of the insurance provider inspecting and evaluating repair quality of the claimant vehicle at the insurer facility after the step of repairing the claimant vehicle at the repair facility (See Freedman, Page 9, Paragraphs 0132-0134).

(M) As per claim 13, Freedman discloses the method wherein the step of returning the repaired claimant vehicle to the claimant occurs at the insurer facility (See Freedman, Page 9, Paragraphs 0132-0134).

(N) As per claim 14, Freedman discloses the method wherein the claimant drops off the rental vehicle and picks up the repaired claimant vehicle at the insurer facility (See Freedman, Page 9, Paragraphs 0132-0134).

(O) As per claim 15, discloses a method of processing vehicle damage claims, comprising the steps of:

reporting a vehicle damage claim to an insurance provider by a claimant (See Freedman Page 3, Paragraphs 0043-0044);

delivering a damaged claimant vehicle to an insurer facility operated by

the insurance provider (See Freedman, Page 3, Paragraphs 0039-0040);

preparing a repair estimate at the insurer facility by a representative of the insurance provider (See Freedman, Page 4, Paragraph 0055);

soliciting repair bids from repair facilities (See Freedman, Page 8, Paragraphs 0128-0130);

repairing the damaged claimant vehicle at the repair facility (See Freedman, Page 13, Paragraphs 0183-0186);

returning the repaired claimant vehicle to the claimant (See Freedman, Page 13, Paragraphs 0183-0186);

Freedman does not explicitly disclose selecting a repair facility, with the repair facility selected by the representative of the insurance provider at the insurer facility without input from the claimant and returning the claimant vehicle to the insurer facility without input from the claimant.

However, these features are known in the art, as evidenced by Hubbard. In particular, Hubbard suggests that the method having selecting a repair facility, with the repair facility selected by the representative of the insurance provider at the insurer facility without input from the claimant (See Hubbard, Page 1, Paragraph 0007); and returning the claimant vehicle to the insurer facility without input from the claimant (See Hubbard, Page 5, Paragraph 0076; Page 9, Paragraph 0109).

It would have been obvious to one ordinary skill in the art at the time of the invention to have included the features of Hubbard within the system of Freedman with the motivation of permitting online access of rental claim information by a plurality

of users, such as claims adjusters or claims managers, at an insurance service provider, such as an insurance company (See Hubbard, Page 2, Paragraph 0018).

(P) As per claim 26, Freeman discloses a method of processing vehicle damage claims, comprising the steps of:

reporting a vehicle damage claim to an insurance provider by a claimant (See Freedman Page 3, Paragraphs 0043-0044);

delivering a damaged claimant vehicle to an insurer facility (See Freedman, Page 3, Paragraphs 0039-0040);

providing a rental vehicle to the claimant at the insurer facility (See Fredman, Page 3, Paragraphs 0039-0040);

preparing a repair estimate at the insurer facility by a representative of the insurance provider (See Freedman, Page 4, Paragraph 0055);

electronically posting images of the damaged claimant vehicle and description of vehicle repairs required and soliciting repair bids from repair facilities where the posting is performed by the insurance provider (See Freedman, Page 8, Paragraphs 0128-0130);

repairing the damaged claimant vehicle at the repair facility (See Freedman, Page 13, Paragraphs 0183-0186);

returning the repaired claimant vehicle to the claimant (See Freedman, Page 13, Paragraphs 0183-0186);

evaluating repair quality of the claimant vehicle at the insurer facility (See Freedman, Page 8, Paragraphs 0129-0130).

Freedman does not explicitly disclose selecting a repair facility, with the repair facility selected by the insurance provider without input from the claimant; and returning the repaired claimant vehicle to the claimant at the insurer facility without input from the claimant.

However, these features are known in the art, as evidenced by Hubbard. In particular, Hubbard suggests that the method having selecting a repair facility, with the repair facility selected by the insurance provider without input from the claimant (See Hubbard, Page 1, Paragraph 0007); and returning the repaired claimant vehicle to the claimant at the insurer facility without input from the claimant (See Hubbard, Page 5, Paragraph 0076; Page 9, Paragraph 0109).

It would have been obvious to one ordinary skill in the art at the time of the invention to have included the features of Hubbard within the system of Freedman with the motivation of permitting online access of rental claim information by a plurality of users, such as claims adjusters or claims managers, at an insurance service provider, such as an insurance company (See Hubbard, Page 2, Paragraph 0018).

(Q) As per claim 32, Freedman discloses a method of processing vehicle damage claims, comprising the steps of:

reporting a vehicle damage claim to a coordination entity by a customer (See Freedman Page 3, Paragraphs 0043-0044);

delivering a damaged customer vehicle to a coordination facility (See Freedman, Page 3, Paragraphs 0039-0040);

providing a rental vehicle to the customer at the coordination facility (See (See Fredman, Page 3, Paragraphs 0039-0040);

preparing a repair estimate at the coordination facility by the coordination entity (See Freedman, Page 4, Paragraph 0055);

repairing the damaged customer vehicle at the repair facility (See Freedman, Page 13, Paragraphs 0183-0186);

returning the repaired customer vehicle to the customer at the coordination facility (See Freedman, Page 13, Paragraphs 0183-0186);

returning the rental vehicle by the customer at the coordination facility (See Freedman, Page 8, Paragraphs 0125-0128).

Freedman does not explicitly disclose selecting a repair facility, with the repair facility selected by the coordination entity without input from the customer; and returning the repaired customer vehicle to the customer at the coordination facility without input from the customer.

However, these features are known in the art, as evidenced by Hubbard. In particular, Hubbard suggests that the method having selecting a repair facility, with the repair facility selected by the coordination entity without input from the customer (See Hubbard, Page 1, Paragraph 0007); and returning the repaired customer vehicle to the customer at the coordination facility without input from the customer (See Hubbard, Page 5, Paragraph 0076; Page 9, Paragraph 0109).

It would have been obvious to one ordinary skill in the art at the time of the invention to have included the features of Hubbard within the system of Freedman with the motivation of permitting online access of rental claim information by a plurality of users, such as claims adjusters or claims managers, at an insurance service provider, such as an insurance company (See Hubbard, Page 2, Paragraph 0018).

(R) Claims 16-25 and 27-31 recite the underlying process steps of the elements of claims 2-13, respectively. As the various elements of claims 2-13 and have been shown to be either disclosed by or obvious in view of the collective teachings of Freedman and Hubbard, it is apparent that the method disclosed by the applied art performs the recited underlying functions. As such, the limitations recited in claims 16-25 and 27-31 are rejected for the same reasons given above for method claims 2-13, and incorporated herein.

(S) As per claim 33, Freedman discloses an on-line system of tracking a vehicle repair, comprising:

an interface that enables a claimant to access a remote file (See Freedman, Page 8, Paragraphs 0125-0126);

a publicly accessible network coupled to the interface (See Freedman, Page 13, Paragraphs 0182-0183);

where the files comprise repair documents and are accessed through an electronic link (See Freedman, Page 8, Paragraphs 0128-0130).

Freedman does not explicitly disclose that the system having a server remote from the interface coupled to the publicly accessible network that retains a plurality of files that can be accessed through the publicly accessible network.

However, these features are known in the art, as evidenced by Hubbard. In particular, Hubbard suggests the system having a server remote from the interface coupled to the publicly accessible network that retains a plurality of files that can be accessed through the publicly accessible network (See Hubbard, Page 1, Paragraphs 0004-0005).

It would have been obvious to one ordinary skill in the art at the time of the invention to have included the features of Hubbard within the system of Freedman with the motivation of permitting online access of rental claim information by a plurality of users, such as claims adjusters or claims managers, at an insurance service provider, such as an insurance company (See Hubbard, Page 2, Paragraph 0018).

(T) As per claim 34, Freedman discloses the on-line system of tracking the vehicle repair of claim 33 where the interface comprises a website interface (See Freedman, Page 17, Paragraph 0264).

(U) As per claim 35, Freedman discloses the on-line system of tracking the vehicle repair of claim 33 where the publicly accessible network comprises an Internet (See Freedman, Page 17, Paragraph 0264).

(V) As per claim 36, Freedman discloses the on-line system of tracking the vehicle repair of claim 33 where the files comprise repair status documents that include a textual or a graphical link that can be selected by an input device (See Freedman, Page 17, Paragraph 0265).

(W) As per claim 37, Freedman discloses the on-line system of tracking the vehicle repair of claim 36 where the repair status documents are associated with an indemnity agreement stored within a database (See Freedman, Page 17, Paragraph 0265).

(X) As per claim 38, Freedman discloses the on-line system of tracking the vehicle repair of claim 37 where the server responds to a computer request for a plurality of insurance documents (See Freedman, Page 4, Paragraphs 0055-0059).

(Y) As per claim 39, Freedman discloses an on-line system of managing a vehicle repair process, comprising:

a first interface that enables an insurance provider to electronically post an image in a memory of a computer (See Freedman, Page 8, Paragraphs 0125-0126);

a second interface that enables access to the electronically posted image (See Freedman, Page 8, Paragraphs 0125-0126);

where the posted image facilitates the management of the vehicle repair process under the control of the insurance provider (See Freedman, Page 8, Paragraphs 0125-0126).

Freedman does not explicitly disclose that the system having a privately accessible computer network coupled to the first interface the second interface, and the computer.

However, these features are known in the art, as evidenced by Hubbard. In particular, Hubbard suggests the system having a privately accessible computer network coupled to the first interface the second interface, and the computer (See Hubbard, Page 1, Paragraphs 0004-0005).

It would have been obvious to one ordinary skill in the art at the time of the invention to have included the features of Hubbard within the system of Freedman with the motivation of permitting online access of rental claim information by a plurality of users, such as claims adjusters or claims managers, at an insurance service provider, such as an insurance company (See Hubbard, Page 2, Paragraph 0018).

(Z) As per claim 40, Freedman discloses the on-line system of managing the vehicle repair process of claim 39 where the image comprises a photograph of a vehicle (See Freedman, Page 8, Paragraphs 0127-0128).

(AA) As per claim 41, Freedman discloses the on-line system of managing the vehicle repair process of claim 40 where the interface is configured to post a description of the image in the memory of the computer (See Freedman, Page 8, Paragraphs 0128-0129).

(BB) As per claim 42, Freedman, discloses the on-line system of managing the vehicle repair process of claim 40 where the first interface enables the insurance provider to electronically post a plurality of images and post a plurality of descriptions in the memory of the computer, the second interface enables access to the plurality of electronically posted images and the plurality of posted descriptions, and the plurality of posted images and the plurality of posted descriptions facilitate the management of the vehicle repair process under the control of the insurance provider (See Freedman, Page 8, Paragraphs 0125-0129).

Response to Arguments

5. Applicant's arguments filed on 8/9/06 with respect to claims 1-42 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not the applied art teaches Focus: Motor vehicle insurance: Setting claims BusinessWorld. Manila: Feb 18, 1997. pg. NOPGCIT.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

V.F

V.F

September 17, 2006

RBM

Robert Morgan
Patent Examiner
Art Unit 3626